

### **REMARKS**

After the foregoing Amendment, claims 1-12, as amended, are pending in this application. Claims 1-3 and 7-9 have been amended in order to more particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. Claims 2 and 3 have been amended in order to correct obvious typographical errors. No new matter has been added as a result of the foregoing claim amendments.

Figs. 1 and 4 of the drawings have been amended in order to correct an error recently identified by the inventors. The corrections to Figs. 1 and 4 involve removing a line extending between the Input unit (25 or 55) and the Reproduction control unit (23 or 53) and inserting a new line between the Browser unit (24 or 54) and the Reproduction control unit (23 or 53). No new matter has been added to the application as a result of the drawing amendment.

#### **Claim Objections**

Claims 2-3 were objected to because of certain informalities noted by the Examiner. By the foregoing Amendment, claims 2 and 3 have been amended to correct all of the informalities noted by the Examiner. Accordingly, withdrawal of the objection to claims 2-3 is respectfully requested.

#### **Claim Rejections under 35 U.S.C. § 102**

Claims 2 and 8 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,326,982 (Wu *et al.*). It is the position of the Examiner that the Wu *et al.* patent teaches a broadcast system comprising a broadcast station and a television broadcast receiver connected to the broadcast system by a two-way channel (the Examiner takes the position that a cable network is a two-way channel). The Examiner further states that the video provider (16) and internet (22) can both be connected to web/TV through a cable network and that, therefore, the video data provider and the server (34) are equivalent to a broadcast station. The Examiner further states that the broadcast station transmits, prior to or during the transmission of contents, an advertising scenario header instructing what kind of advertising information should be produced and in what way. The Examiner further states that web pages can include advertising information and that programming schedule mapping information is equivalent to an advertising

scenario header. For the reasons as set forth in detail below, Applicants respectfully traverse the rejection of claims 2 and 8.

As described in significant detail in the application, the embodiment of the present invention, as called for in claims 2 and 8, relates to a broadcast system including a broadcast station (31 on Fig. 4) and a broadcast receiver (32) which is connected to the broadcast station by a two-way channel (33) in the disclosed embodiment a two-way cable television network. The broadcast receiver includes a browser unit for reproducing HTML coded display data and an internet access for obtaining HTML coded display data. As described in detail in the Background section of the application, advertising is more easily and inexpensively produced in the form of web pages rather than traditional videotape produced commercials. Web pages are much more easily updated at very low costs. In addition, using a web page as a commercial allows the commercial to be individually tailored to the needs of a particular consumer or potential consumer. The present invention, as defined by claims 2 and 8, takes advantage of web-based advertising. However, unlike the prior art, the present invention employs techniques to insure that such web-based commercials are, in fact, viewed. In this manner, the broadcast station transmits a command or instruction, referred to as an advertising scenario header to the broadcast receiver either prior to or during the transmission of broadcast video or program contents. The advertising scenario header instructs the broadcast receiver with respect to the kind of advertising information that should be reproduced at the receiver, the way that the advertising information should be reproduced, and how the program contents should be reproduced in accordance with the way that the advertising information is reproduced. During the reception and reproduction of the video program contents, the television broadcast receiver accesses the advertising display data on the internet using the internet access unit and, at the proper time (as controlled by the advertising scenario header), reproduces the accessed commercial information utilizing the browser unit as instructed by the advertising scenario header. As described in detail in the disclosed embodiment, the advertising scenario header actually causes the video content transmitted from the broadcast station to be interrupted or paused at the time a web-based commercial is to be played. In this manner, a viewer is essentially precluded from further viewing the desired video content until after the web-based commercial has been played. A detailed scenario is set forth on Fig. 5 and is described beginning at the bottom of page 37 of the application.

The Wu *et al.* patent describes a system for particular web pages to be automatically accessed from a television receiver which is also connected to the internet. The system describes how the timing of video content can be used to facilitate the scheduling of the ability to access a particular web site which is related to the video content. If the timing of the video content is correct, the web pages available for accessing correspond to portions of the video data. Because the television receiver is also connected to the internet, the viewer may access the identified web site at his or her discretion utilizing the television remote control device.

As described in detail beginning at col. 5, line 23, the system is operative to concurrently display the internet data and the video content on the same screen either by superimposing the web page or by producing two separate image fields on the television receiver (i.e., a split screen display or a picture-in-picture display). In one embodiment the user is able to toggle back and forth between the TV viewing (content) and web browsing utilizing the remote (see col. 5, beginning at line 43). Thus the Wu *et al.* patent provides no control of the video content by the broadcast receiver.

It is respectfully submitted that the Wu *et al.* patent does not anticipate either claims 2 or 8 of the present application. The present invention, as defined by claims 2 and 8, is employed for controlling the presentation made to a user. During certain periods of time, the system provides to the user content such as a movie, television show, or the like. During other periods of time (as defined by the claimed advertising scenario header) the present system provides the viewer with a web-based commercial obtained through the internet. One of the typical use cases of the present invention is to make sure that a viewer is not able to continue viewing the video content and avoid viewing a commercial, such as a web-based commercial. Accordingly, with the present invention, the broadcast system, itself, controls what is presented to the viewer, i.e., typically it controls such that either video content or a commercial is presented and not both at the same time. The viewer has no control of any kind over whether or when a commercial is presented. In some embodiments of the present invention, the viewer is permitted to submit personal data which determines what specific type of commercial is presented. However, the viewer cannot avoid receiving a commercial and continue to view the video content because the video content is controlled (stopped or paused) at the time a commercial is presented. Control of the kind of commercial, the way the commercial is reproduced, and how the contents are reproduced is controlled by the advertising scenario header, as described in claims 2 and 8. For example, in parts 6 and 7 of Fig. 5 and the relevant description, the advertising information

according to the specific user profile is displayed for a specific period of time (120 seconds). During that time period, the transmission of the video contents that had been viewed by the viewer is paused so the viewer can only view the commercial message, in this case a web-based commercial. As described above, in the Wu *et al.* patent the video contents are not controlled by the receiver and are continuously broadcast and reproduced regardless of whether or not any advertising information is displayed. (See portions of Wu *et al.* discussed above, as well as Fig. 10 at block 270 which states "display matching web-page in accordance with specified display mode along with a corresponding portion of video data carried by the selected channel".) With the present invention, under control of the claimed advertising scenario header, a viewer cannot continue to view the video contents unless the viewer also views the commercials (video commercials, in this case) during the specified periods of time.

Claim 2 distinguishes over the Wu *et al.* patent by its recitation of an advertising scenario header for instructing what kind of advertising information should be reproduced and in what way, and for also instructing how the video contents should be reproduced in accordance with the way the advertising information is reproduced. The same language appears in corresponding method claim 8. Accordingly, it is respectfully submitted that the rejection of claims 2 and 8 should be withdrawn.

#### Rejections under 35 U.S.C. § 103

Claims 1, 3-4, 6-7, 9-10 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wu *et al.* in view of U.S. Patent No. 5,903,816 (Broadwin *et al.*). The Examiner takes the position that Wu *et al.* teaches a broadcast system substantially the same as called for in claim 1, but that Wu *et al.* does not disclose storing HTML advertising in a memory for reproducing by the browser. However, the Examiner states that having a television receiver store interactive programming data in memory for reproduction during the transmission of content is well known in the art as taught by Broadwin *et al.* and that, therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Wu *et al.*'s invention so that the receiver stores advertising information in memory and the browser unit reproduces advertising information from memory as taught by Broadwin *et al.* For the reasons as set forth in detail below, Applicants respectfully traverse the rejection of claims 1, 3-4, 6-7, 9-10 and 12.

Claim 1 calls for a broadcast system including a broadcast station and a broadcast receiver connected to the broadcast station by a two-way channel. The broadcast receiver includes a browser for reproducing HTML coded display data and a storage unit for storing HTML coded advertising information. The broadcast station transmits an advertising scenario header instructing the broadcast receiver what kind of advertising information should be reproduced, and in what way, and also instructing the receiver regarding how the video contents received from the broadcast station should be reproduced in accordance with the way the advertising information is reproduced. The advertising scenario header is transmitted either prior to or during the transmission of the video contents. During the reception and reproduction of the video contents the broadcast receiver reproduces the advertising information stored in the storage unit using the browser unit in accordance with the instructions contained within the advertising scenario header.

As described above in connection with the rejection of claims 2 and 8, the Wu *et al.* patent does not disclose, teach, or even remotely suggest the concept of transmitting an instruction (advertising scenario header) to the broadcast receiver for the receiver to control the kind of advertising to be shown, the way the advertising is to be shown, and the reproduction of the transmitted video content in accordance with the way the advertising information is to be reproduced. In the Wu *et al.* patent, as discussed above, viewing the advertising or commercials appears to be optional on the part of the viewer because the commercials do not interrupt the reception and display of the main video content signal. Thus, the Wu *et al.* patent teaches away from the present invention in which the viewing of the commercials is controlled by the broadcast system receiver utilizing the advertising scenario header and cannot, in any way, be controlled by the viewer.

Applicants have reviewed the Broadwin *et al.* patent and it does not disclose, teach or suggest the feature of the present invention which is lacking in the Wu *et al.* patent, namely the use of a instruction (called the advertising scenario header) broadcast by the broadcast station to the broadcast receiver for controlling the kind of advertising information reproduced, the way in which the advertising information is reproduced, and how the broadcast video contents are reproduced in accordance with the way that the advertising information is reproduced. This claim feature is present in independent claims 1, 3, 7 and 9, and is also present in dependent claims 4, 6, 10 and 12, at least by their dependency. Accordingly, it is respectfully submitted that the rejection of claims 1, 3-4, 6-7, 9-10 and 12 should be withdrawn.

Claims 5 and 11 were rejected under 35 U.S.C. § 103.(a) as being unpatentable over Wu *et al.* in view of Broadwin *et al.* and further in view of U.S. Patent No. 5,517,257 (Dunn *et al.*). The Examiner takes the position that Wu *et al.* as modified by Broadwin *et al.* teaches a television broadcast receiver comprising a reproduction control unit for controlling the reproduction of the contents, but the combination does not instruct the broadcast station through the reproduction control unit to stop the transmission of the contents when starting the reproduction of the advertising information during the reception and reproduction of the contents and instructs the broadcast station to restart the transmission of the contents when ending the reproduction of the advertising information. The Examiner further states that a receiver with a control unit "can" instruct a broadcast station to temporarily stop and resume the transmission of contents is well known in the art as taught by Dunn *et al.* The Examiner concludes it would have been obvious to one of ordinary skill in the art to further modify Wu *et al.* and Broadwin *et al.* for this purpose. For the reasons as set forth below, Applicants respectfully traverse the rejection of claims 5 and 11.

As described above, the Wu *et al.* patent describes a system in which information from a web site (potentially web-based commercials) may be accessed by a viewer and may be displayed on a TV receiver at the same time that the ongoing video content is displayed (see discussion at col. 5, beginning at line 23 and extending through line 55, as well as Fig. 10 at Box 270). The Examiner states to combine Wu *et al.* with Dunn *et al.* would have been obvious to one of ordinary skill in the art. However, Applicants respectfully point out that Wu *et al.* specifically teaches away from such a combination because the Wu *et al.* patent is specifically designed to concurrently display and not interrupt the ongoing video content as well as information from a web site and the Wu *et al.* receiver does not control the broadcasting of the video content. Accordingly, it is respectfully submitted that the combination of Wu *et al.* and Dunn *et al.* is an improper combination and should be withdrawn.

Moreover, the "handset" of Dunn *et al.* referred to by the Examiner is nothing more than a remote controller which is used for allowing the viewer to remotely control the pause and restart of reproduction of the video content. With the present invention, the pause and restart of reproduction of the video content is controlled not by the operation of the viewer, but by the advertising scenario header which is transmitted to the broadcast receiver by the broadcast station. The user has no control over whether or not a commercial is to be played or the timing of the commercial. Thus, as called for in claim 5, it is the television broadcast receiver (not the

viewer) that instructs the broadcast station through the reproduction control unit to temporarily stop the transmission of the video contents when it is time for the advertising information to be reproduced, and instructs the broadcast station to resume the transmission of the video content when the reproduction of the commercial information has been completed. Clearly, this is quite different from permitting a viewer to pause and/or restart the transmission of the video content at any time he or she wishes.

For the foregoing reasons, it is respectfully submitted that claims 5 and 11 distinguish patentably over the triple reference combination and, therefore, it is respectfully submitted that the rejection of claims 5 and 11 should be withdrawn.

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**CONCLUSION**

In view of the foregoing Amendment and discussion, it is respectfully submitted that claims 1-12, as amended, are in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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Enclosures



**Amendments to the Drawings:**

The attached replacement sheet(s) of drawings include changes to Fig(s). 1 and 4. These sheet(s), which include(s) Fig(s) 1 and 4 replace the original sheet(s) including Fig(s). 1 and 4. In Fig. 1 the line extending between the "Input unit" 25 and the "Reproduction control unit" 23 has been removed and a new line extending between the "Browser unit" 24 and the "Reproduction control unit" 23 has been added. In Fig. 4 the line extending between the "Input unit" 55 and the "Reproduction control unit" 53 has been removed and a new line extending between the "Browser unit" 54 and the "Reproduction control unit" 53 has been added. These changes have been made to correct errors recently discovered by the inventors. The Amendment to the drawings is supported by the specification at page 29 lines 6-7 and at page 30, lines 16-17. No new matter has been added by this Drawing Amendment.

Attachment: Replacement Sheets